

By: Eissler

H.B. No. 2822

A BILL TO BE ENTITLED

AN ACT

relating to certain school district employees who evaluate students with speech impairments and to the State Board of Examiners for Speech-Language Pathology and Audiology.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.0041 to read as follows:

Sec. 29.0041. DETERMINATION OF ELIGIBILITY OF STUDENTS WITH SPEECH IMPAIRMENTS. (a) In determining the eligibility of a student to participate in a school district's special education program based on the student's speech impairment, a multidisciplinary team shall collect or review data evaluating the student.

(b) The team required under Subsection (a) must include:

(1) a person who holds a certificate in speech and hearing therapy issued by the agency;

(2) a person who holds a certificate in speech-language pathology issued by the agency; and

(3) as determined by the board of trustees of the district, either:

(A) a person who holds a license in speech-language pathology; or

(B) a licensed assistant in speech-language pathology.

1        (c) If the board of trustees of a school district determines  
2 that a licensed assistant in speech-language pathology may serve on  
3 a multidisciplinary team under this section, the licensed assistant  
4 in speech-language pathology may perform the speech and language  
5 services determined necessary by the team.

6        SECTION 2. Section 401.102(d), Occupations Code, is amended  
7 to read as follows:

8        (d) At least three of the board members must be employed by a  
9 school district in this state. One of the public board members must  
10 be a physician licensed in this state and certified in  
11 otolaryngology or pediatrics.

12        SECTION 3. Section 401.312(a), Occupations Code, is amended  
13 to read as follows:

14        (a) The board may establish minimum qualifications for  
15 licensed assistants in speech-language pathology and in audiology.  
16 In the case of licensed assistants in speech-language pathology or  
17 in audiology employed by school districts in this state, the board  
18 may not establish stricter minimum qualifications than the  
19 qualifications in effect on September 1, 2003.

20        SECTION 4. The change in law made by Section 401.102(d),  
21 Occupations Code, as amended by this Act, in the qualifications  
22 that apply to members of the State Board of Examiners for  
23 Speech-Language Pathology and Audiology does not affect the  
24 entitlement of a member serving on the board immediately before  
25 September 1, 2003, to continue to serve and function as a member of  
26 the board for the remainder of the member's term. That change in  
27 law applies only to a member appointed on or after September 1,

1 2003.

2 SECTION 5. This Act takes effect September 1, 2003.